

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. 08-156**

**A RESOLUTION AUTHORIZING THE CITY TO EXECUTE A RIGHT-OF-WAY AGREEMENT WITH WINIFRED M. MCLACHLAN AND NAMOA JEANNE TATE, AS CO-TRUSTEES OF THE JAMES AND WINIFRED MCLACHLAN FAMILY TRUST FOR PROPERTY IDENTIFIED AS PARCEL NUMBERS 21-04-303-002 AND 21-04-303-029 LOCATED AT 4499 SOUTH 3200 WEST, AND TO ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENTS.**

**WHEREAS**, the City plans to construct the 3200 West Sidewalk Project from approximately 4499 South to 4501 South which will include sidewalk, asphalt tie-in, and restoration of landscaping; and

**WHEREAS**, Winifred M. McLachlan and Naoma Jeanne Tate as successor Co-Trustees ("Co-Trustees") of the James and Winifred McLachlan Family Trust own property identified as Parcel No's. 21-04-303-002 and 21-04-303-029 located at 4499 South 3200 West which will be affected and benefitted by the Project; and

**WHEREAS**, a Right-of-Way Temporary Easement Agreement ("Agreement") has been prepared for execution by and between West Valley City and the Co-Trustees of the James and Winifred McLachlan Family Trust. The agreement sets forth the rights, duties and obligations of each of the parties with respect to the conveyance of property and construction of improvements; and

**WHEREAS**, the Co-Trustees of the James and Winifred McLachlan Family Trust have executed a Warranty Deed conveying right-of-way to the City, subject to the City entering into said Agreement; and

**WHEREAS**, Co-Trustees of the James and Winifred McLachlan Family Trust have signed a Grant of Temporary Construction Easement to allow for construction of said project across the frontage of these parcels; and

**WHEREAS**, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to execute said Agreement for and on behalf of West Valley City.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Valley City that the Agreement is hereby approved, and that the Mayor is authorized to execute said Agreement for and on behalf of West Valley City.

**BE IT FURTHER RESOLVED**, that, upon execution of said Agreement, the Mayor is authorized to accept and the City Recorder is authorized to record said Warranty Deed and Temporary Construction Easements for and on behalf of West Valley City.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER